

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:21-cv-47-M

JOSEPH McALEAR, individually and on behalf  
of all others similarly situated,

*Plaintiff,*

v.

nCINO, INC.

*Defendant.*

**PLAINTIFF'S UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF  
PROPOSED CLASS ACTION  
SETTLEMENT**

Fed. R. Civ. P. 23(e)

2839751.1

PLAINTIFF'S UNOPPOSED MOTION FOR  
PRELIMINARY APPROVAL  
CASE NO. 7:21-CV-47-M

**TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** Plaintiff Joseph McAlear hereby moves the Court, pursuant to Federal Rule of Civil Procedure 23, for an order as follows:

1. Finding that it will likely approve the Settlement with defendant nCino, Inc.;
2. Finding it will likely certify the Settlement Class upon final approval;
3. Approving the proposed plan of notice and directing notice to the Settlement Class;
4. Appointing Plaintiff's counsel as counsel for the Settlement Class;
5. Appointing JND Legal Administration as the Settlement Administrator;
6. Setting a schedule for disseminating notice to Settlement Class members, as well as deadlines to comment on, object to, or opt out of the Settlement Class; and

5. Scheduling a final fairness hearing.

This motion is based on the accompanying memorandum of points and authorities; the Declaration of Daniel Lyon; all exhibits to such documents; the pleadings and other documents on file in this case; and any argument that may be presented to the Court.

Dated: August 28, 2023

Respectfully submitted,

/s/Daniel Lyon

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*/s/ Dean M. Harvey*

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